

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Andhra Pradesh Medical & Health Services – Sri K.Mallikarjuna Rao, Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad - Departmental Proceedings under rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Articles of charges - Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (F.1) DEPARTMENT

G.O.Rt.No. 1446

Dated: 09-11-2009.

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ORDER:

It is proposed to hold an enquiry against Sri K.Mallikarjuna Rao, Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad in accordance with the procedure laid down under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and list of witness by whom the articles of charges are proposed to be sustained are also enclosed in (Annexure-II, III & IV).

3. Sri K.Mallikarjuna Rao, Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad is directed to submit within (15) days of the receipt of this order the written statement of his defence.

4. Sri K.Mallikarjuna Rao, Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charges.

5. Sri K.Mallikarjuna Rao, Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad is further informed that if he does not submit his written statement of defence on or before the date specified in Para-3 above, further action will be processed based on the material available.

6. The attention of Sri K.Mallikarjuna Rao, Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad is invited to rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964 under which no Government, servant shall bring any political or outside influence to bear Upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings. It will be presumed that

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Sri K.Mallikarjuna Rao, Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri K.Mallikarjuna Rao, Assistant Transport Officer,
Office of the State Health Transport Organization,
S.R. Nagar, Hyderabad **through** the Director of Health,
A.P. Hyderabad.

(2 copies for service and return)

The Director of Health, A.P. Hyderabad.

SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER

(Contd.. for Annexures)

ANNEXURE-I to G.O.Rt.No. 1446 , H.M & F.W (F.1) Department,
Dated: 09-11-2009.

ARTICLES OF CHARGES FRAMED AGAINST SRI K.MALLIKARJUNA RAO,
ASSISTANT TRANSPORT OFFICER, OFFICE OF THE STATE HEALTH TRANSPORT
ORGANIZATION AT S.R.NAGAR, HYDERABAD.

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CHARGE – 1:

That Sri K.Mallikarjuna Rao while working as Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad has shown gross negligence and floated norms in conducting Auction of 443 vehicles as scrap, without involving the committee constituted by the Government in G.O.No.156, dt.11.02.2009 before and during the auction. The auction was conducted without obtaining clarification from Commissioner of Commercial Tax about rate of Sales Tax and also Regional Transport Authority Officials not involved. As a result Government could not get the estimated amount of Rs.2.228 Crores, and could get only Rs.1.15 Crores as auction amount. An amount of Rs.1.078 Crores thus occurred as loss to Government due to floating of norms.

CHARGE – 2:

That Sri K.Mallikarjuna Rao while working as Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad has failed to give Advertisement broadly in National and State wide papers and also the advertisement were not given in Urdu paper. The auction though held in Hyderabad, and most of the bidders from automobile wing being Muslims could not participate bidding due to lack of information due to which Government sustained loss, other wise it could have got more amount due to competition among bidders.

CHARGE – 3:

That Sri K.Mallikarjuna Rao while working as Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad has failed to maintain records properly because it does not show or indicate about the status of unused spare parts and also variation in the names of bidders who deposited the earnest money and in the names of successful bidder.

CHARGE – 4:

That Sri K.Mallikarjuna Rao while working as Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad has failed to follow the norms in force and conducted auction, wherein Lot Nos. 1 to 18 of auto scrap parts are purchased by only one bidder i.e. Thaiba Enterprises and similarly entire lot from 1 to 19 of tyres and tubes are purchased by one more bidder i.e. Modern Tyres, Hyderabad this raises doubt about the fair, free and transparent conduct of auction.

Thus Sri K.Mallikarjuna Rao while working as Assistant Transport Officer, Office of the State Health Transport Organization at S.R. Nagar, Hyderabad has violated the code of conduct which amount to misconduct and dereliction of duties and unbecoming on the part of a Government servant under Rule (3) of A.P. Civil Services (Conduct) Rules, 1964.

L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II to G.O.Rt.No. 1446 , H.M & F.W (F.1) Department,
Dated: 09-11-2009.

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SRI K.MALLIKARJUNA RAO, ASSISTANT TRANSPORT OFFICER, OFFICE OF THE STATE HEALTH TRANSPORT ORGANIZATION AT S.R.NAGAR, HYDERABAD.

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The Addition Director (Administration), Office of the Director of Health has conducted and submitted a comprehensive enquiry report on the auction of condemned vehicles and misappropriation of Government Materials, as detailed below:-

1. The committee constituted by Government in G.O.Ms.No.156, dt.11.02.2009 was not involved before and during the process of auction.
2. Auction was conducted without obtaining clarification from Commissioner of Commercial Taxes about rate of collecting sales tax.
3. Regional Transport Authority officials were not involved during the process of auction as instructed by Government.
4. District Medical & Health Offices from respective districts were not called for inspection of condemned vehicles before conducting auction as per instruction of Government.
5. There is variation in the names of bidders who deposited the earnest money and in the names of successful bidders.
6. Few vehicles were auctioned less than the upset price.
7. Advertisements were not given broadly in national and states wide papers. The advertisements were not given in Urdu papers and there is variation in the items mentioned for auction in different advertisements.
8. In the advertisement quantity of scrap to be auctioned are not mentioned.
9. There is variation in the amount deposited in bank by Assistant Accounts Officer, Office of the State Health Transport Organization and in the amount stated by Regional Director of Medical & Health and observer nominated for auction.
10. The sale tax was collected at rate of 12.5% from the bidders instead of 4%.
11. The clarification on the rate of tax to be collected form the bidders was sought from Commissioner of Commercial Tax after the auction is over.
12. The details whether unused parts are also included in the scrap and quantity of tires, tubes, auto scrap collected from each District is not mentioned.
13. In respect of (2) non released vehicles grace period is over penalty collected and auction taken in this regard is not mentioned.
14. In the letter Addressed to the auctioneer's auction about batteries was mentioned but batteries were not auctioned.

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15. Commissioner of Family Welfare members of committee were not involved before, during and after the auction.
16. Director of Health has not confirmed the bids vehicles release order was signed by Sri B.Srinivas Rao (Assistant Transport Officer), Sri K.Mallikarjuna Rao (Assistant Transport Officer) and Sri Rama Chandragiri in-charge, State Health Transport Organization.
17. Observer report toward conduct of auction is not furnished.
18. The amount realized towards auto scrap, tyres & tubes is not even 10% of the total sale value received through auction of condemned vehicles.
19. Lot Nos. 1 to 18 of auto scrap parts are purchased by only one bidder i.e. Thaiba Enterprises and entire lot from 1 to 19 of tyres and tubes are purchased by one more bidder i.e. Modern Tyres, Hyderabad this raises doubt about the fair, free and transparent conduct of auction.

There by he is liable for disciplinary action.

**L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT**

SECTION OFFICER

ANNEXURE-III to G.O.Rt.No. 1446 , H.M & F.W (F.1) Department,
Dated: 09-11-2009.

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI K.MALLIKARJUNA RAO, ASSISTANT TRANSPORT OFFICER, OFFICE OF THE STATE HEALTH TRANSPORT ORGANIZATION AT S.R.NAGAR, HYDERABAD.

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1. Letter Rc.No.Spl./Eng. (Admn-I)/2009-7, dt.23.04.2009 of the preliminary enquiry conducted by the Additional Director, Office of the Director of Health, A.P. Hyderabad.

L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV to G.O.Rt.No. 1446 , H.M & F.W (F.1) Department,
Dated: 09-11-2009.

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI K.MALLIKARJUNA RAO, ASSISTANT TRANSPORT OFFICER, OFFICE OF THE STATE HEALTH TRANSPORT ORGANIZATION AT S.R.NAGAR, HYDERABAD.

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1. Additional Director, Office of the Director of Health, A.P. Hyderabad.

L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER